

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, DECEMBER 6, 2001
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Larry Hudkins
Bernie Heier
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Staff Meeting was called to order at 8:16 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, NOVEMBER 29, 2001

Heier requested that the minutes be amended to add the word "Road" after "East Old Cheney" to Number 2 in the list of amendments and corrections to the One and Six Year Road and Bridge Improvement Program in Item 10.

MOTION: Hudkins moved and Stevens seconded approval of the Staff Meeting minutes of November 29, 2001, with that correction. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Report on Workers' Compensation Seminar
- B. Region V (Board Member Meetings)
- C. Lincoln Partnership for Economic Development (Board Member Meetings)
- D. Board Member Meeting Issues not covered at the November 29, 2001 Staff Meeting

1. Board of Health - Hudkins
2. District Energy Corporation - Heier, Hudkins
3. Families First & Foremost (F³) Conveners Group - Heier, Stevens
4. Budget Monitoring Committee - Campbell, Stevens
5. Public Building Commission - Campbell, Hudkins
6. Community Mental Health Advisory Committee - Stevens

MOTION: Heier moved and Stevens seconded approval of the additions to the agenda. Heier, Stevens, Hudkins, Workman and Campbell voted aye. Motion carried.

ADDITIONS TO THE AGENDA

A. Report on Workers' Compensation Seminar

Eagan reported on his attendance at the Workers' Compensation in Nebraska Seminar, held December 5, 2001 in Omaha, Nebraska.

- 3 MEMORANDUM OF UNDERSTANDING REGARDING CRISIS CENTER -**
Dean Settle, Community Mental Health Center Director; Kim Etherton, Crisis Center Program Manager; Jim Baird, Cornhusker Place Director; Jill Rubottom, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program; Mike Thew, Chief Deputy County Attorney

Jill Rubottom, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program, reported that Cornhusker Place received \$25,000 from Region V this year to pay for two Emergency Protective Custody (EPC) beds. She said Cornhusker Place must be licensed as a mental health facility or have cooperative agreements in place to be able to hold individuals past 24 hours. Rubottom said BryanLGH Medical Center will also become a contractor with Region V for post-commitment days. She suggested that the rates for post-commitment days and EPC services for the rural counties be included in the County's master agreement with Region V for commitments at the Crisis Center. She said a memorandum of understanding would then be developed between Region V, the Community Mental Health Center, BryanLGH Medical Center, and Cornhusker Place to define how the EPC process will work and how the parties will interact with each other.

Mike Thew, Chief Deputy County Attorney, said this will not resolve the liability issue (Lancaster County agreed to hold individuals for the other counties in Region V that are committed through mental health hearings or classified as Emergency Protective Custody (EPC) at the Crisis Center. However, the State repeatedly refused to accept post-commitments, due to lack of space in the Regional Center, and these individuals were held in the Crisis Center longer than permitted by law. This resulted in several lawsuits which Lancaster County was forced to defend, regardless of where the commitment originated). Thew said the memorandum of understanding would appear to provide alternative placements for individuals with substance abuse problems and said "it appears to me to be pre-mental health board hearing type of accommodations."

Dean Settle, Community Mental Health Center Director, said that is correct and said all of the parties realize that the liability issue still needs to be resolved.

Thew said it was his understanding that the Region V Board is willing to include language in the master agreement to address the liability issue and said language was drafted and sent to Region V.

Campbell said the County will remain liable unless the Mental Health Board assigns individuals directly to Cornhusker Place or BryanLGH.

Thew said it is likely that many of these individuals would be placed in an out-patient program.

Kim Etherton, Crisis Center Program Manager, explained that the proposal to use Cornhusker Place and BryanLGH has nothing to do with post-commitments, rather it is intended to deal with the placement of EPC's.

The Board asked Settle to schedule further discussion of the liability issue with the County Attorney's Office; Region V; and George Hanigan, Director of Behavioral Health for the Nebraska Department of Health and Human Services, or his representative.

NOTE: Also in attendance were Linda Wittmuss, Nebraska Department of Health and Human Services (HHS); Patti Schumann, Cornhusker Place Assistant Director; Ardith Korver, Assistant Network Specialist for Region V; and Dennis Keefe, Public Defender.

4 INSURANCE REQUIREMENTS FOR CONSULTING CONTRACTS - Kent Sprague, UNICO Group, Inc.; Sue Eckley, Workers' Compensation & Risk Management Manager; Kathy Smith, Assistant Purchasing Agent; Dave Johnson, Deputy County Attorney

Sue Eckley, Workers' Compensation & Risk Management Manager, explained that the County has a minimum insurance standard requirement of \$1 million. She said frequently contractors complain that the insurance requirements are so high that they are unable to comply.

Dave Johnson, Deputy County Attorney, said subcontractors are required to meet the same level of insurance or the contractor may list them as an additional insured on their insurance.

In response to a question from Workman, Kathy Smith, Assistant Purchasing Agent, said the insurance requirements are included in the Request for Proposals (RFP) documents.

Kent Sprague, UNICO Group, Inc., said he strongly recommends keeping standards in place.

Smith asked whether the Board would want to consider categories of risk and exposure for different contracts.

Kit Boesch, Human Services Administrator, appeared and said her department recently had two contracts in the amount of \$30,000 and \$1,000. She said both contractors were required to meet the minimum insurance standard requirement, at a cost of over \$500. Boesch suggested that the County consider increasing contract amounts to help compensate for the expense, perhaps on the basis of the amount and length of the contract.

Stevens asked whether the contracts could prohibit certain activities, thereby lowering the liability.

Johnson said it is impossible to foresee all the ways in which there could be exposure.

Eagan cautioned that the independent contractors could be considered employees if the County were to assume too much direction of their work. He asked Sprague whether the County could purchase a master policy and amortize the cost for the contractors.

Sprague said he would research the matter.

The Board asked Johnson, Smith and Boesch to provide Sprague with parameters.

Stevens asked whether there is a human service agency or a separate entity that could provide the contractors with the necessary insurance.

Eagan said the Human Services Federation may be one possibility.

5 HUMAN SERVICES DIRECTOR JOB DUTIES - Kit Boesch, Human Services Administrator

The Board reviewed the job description with Kit Boesch, Human Services Administrator, and Boesch suggested revisions (see Exhibit A).

Stevens suggested that the following language be eliminated from the job description:
Performs related work as required.

6 CITY-COUNTY INTERNET WEBSITE - Diane Gonzolas, Citizen Information Center (CIC) Director; LaKesia Jones, Citizen Information Center (CIC); Doug Thomas, Information Services Director; Dave Kroeker, Budget and Fiscal Officer

Diane Gonzolas, Citizen Information Center (CIC) Director, said Information Services turned the responsibility for graphics and content of the InterLinc website over to CIC in late summer, 2001. She said CIC's goal is to have a complete redesign of the website by May, 2002 and said the Web Advisory Committee (WAC) was established to assist with that effort.

Gwen Thorpe, Deputy Chief Administrative Officer, noted that she is the only County representative on WAC and said she believes that more County representation is needed.

In response to a question from Workman, Doug Thomas, Information Services Director, said a federal grant provided 50% of the funds for the original website development, with the City and County splitting the cost of the match. Central administration costs have been equally split by the County and City, with the County responsible for circuit charges to rural sites and the City responsible for circuit charges to the City libraries and ethnic community centers. Development within specific departments are billed accordingly. He noted that Information Services will still be billing for some central administration costs, but said these costs should decrease as Information Service's role is lessened.

Campbell suggested development of a memorandum of understanding to define how the InterLinc website will operate for the County under CIC.

The Board recessed briefly to view the InterLinc website update on the monitors in the City Council/County Commissioners Hearing Room.

After review of the proposed website Stevens said "Just because you have the technology is no sign that you have to use it, and I think you have used the technology to the detriment of the user. I think this is an unfriendly user system." He said it is critical that users be able to click on *Lancaster County* or *City of Lincoln* on the first screen and that a search feature be located at the top of the page. Stevens also expressed concern regarding the size and number of logos and the amount of "white space" on the screens.

LaKesia Jones, CIC, explained that the website is designed for a specific sized screen and those with larger screens will experience more "white space". She added that it will become necessary to scroll to the left and right if too many tiers of information are created.

Gonzolas assured the Board that CIC will refrain from using technology that doesn't enhance the site and or that slows the loading speed.

Thorpe said the City and County appear to have a difference in philosophy in terms of the "front page". She said the County is concerned with accessibility while the City is interested in how the site appeals to first-time users and visitors.

Gonzolas said "Our first priority is to make it easy for people to use, but our second priority is to make it visually pleasing."

The Board asked Thorpe to report back in January, 2002 with recommendations on an interlocal agreement or memorandum of understanding and representation on WAC.

7 LANCASTER COUNTY AGRICULTURAL SOCIETY FINANCING - Mike Thew,
Chief Deputy County Attorney

Campbell said the County Board has received the County Attorney's opinion on questions related to the Lancaster County Agricultural Society's plans to secure a business loan in the amount of \$375,00 (\$334,000 will be used to reimburse the Building Account for funds that were borrowed to pay for operating shortfalls during the first year of the Event Center's operations and to establish a small reserve and the remaining \$150,000 will be used as a line of credit).

Hudkins said the opinion states that the Ag Society cannot pledge personal or real property for the loan.

Campbell said the Board should designate alternates for its representatives on the Lancaster County Fairgrounds Joint Public Agency (JPA).

Board consensus to schedule an amendment to the Certificate of Appointment of the County's representatives to the Lancaster County Fairgrounds JPA to include designation of alternates on the December 11, 2001 County Board of Commissioners Meeting agenda.

8 FINANCIAL SERVICES AGREEMENT WITH WELLS FARGO BANK - Mike Thew, Chief Deputy County Attorney; Terry Adams, Deputy County Treasurer

Mike Thew, Chief Deputy County Attorney, said Wells Fargo Bank has asked that the master treasury management services agreement be part of the contract documents for the depository services agreement but the agreement that the bank submitted for that purpose still had previously identified problems. He said his office has submitted contract language to Wells Fargo Bank that should resolve those problems. Thew added that Brad Korell, Wells Fargo Bank, has been instrumental in helping to work out the agreement.

In response to a question from Campbell, Terry Adams, Deputy County Treasurer, said the County currently has a contract with Wells Fargo Bank and said this will replace that contract.

MOTION: Hudkins moved and Workman seconded to have Kerry Eagan, Chief Administrative Officer, and Gwen Thorpe, Deputy Chief Administrative Officer, draft a letter of appreciation to Brad Korell, Wells Fargo Bank, on behalf of the County Board, County Attorney and County Treasurer, for the Board's signature. Hudkins, Workman, Stevens, Heier and Campbell voted aye. Motion carried.

9 ACTION ITEMS

- A. Microcomputer Request, C#2001-343, \$1,624.96 from the Microcomputer Fund for One (1) Compaq Pentium IV, 17" Monitor and Software for the County Attorney
- B. Microcomputer Request, C#2001-405, \$4,593.83 from the Microcomputer Fund for Two (2) Compaq Pentium IV, One (1) Scanner, Two (2) Modems and Software for Veterans Services

Eagan submitted additional information regarding Item 9B (Exhibit B).

MOTION: Workman moved and Heier seconded approval of Items 9A and 9B. Heier, Workman, Hudkins, Stevens and Campbell voted aye. Motion carried.

- C. Certification of Officers to be Elected in 2002

MOTION: Heier moved and Stevens seconded approval. Stevens, Heier, Hudkins, Workman and Campbell voted aye. Motion carried.

10 CONSENT ITEMS

- A. Vacation Request from Kerry Eagan, Chief Administrative Officer, for December 7-10, 2001
- B. Microcomputer Request, C#2001-404, \$1,283.67 from the County Engineer's Budget for One (1) Compaq Pentium IV, 19" Monitor and Software
- C. Memorandum Regarding Profession Development Luncheon for Support and Para-Professional Staff

MOTION: Hudkins moved and Workman seconded approval of the Consent Items. Hudkins, Workman, Stevens, Heier and Campbell voted aye. Motion carried.

11 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Ecological Advisory Committee - Heier

Heier said the Ecological Advisory Committee is recommending a moratorium on new construction in critical habitat areas until a recovery plan is developed for the Salt Creek Tiger Beetle. He said the committee also supports the Greenprint Challenge (integrates existing natural resources, including all public and private conservation land, agricultural land and urban forests as well as historic features and sites) and some members support larger acreages.

- B. Task Force on the Salt Creek Tiger Beetle - Workman

Workman reported that a presentation was given by Brent Lathrop, Nature Conservancy.

Hudkins suggested that the landowners' group be asked to give a presentation at a future meeting.

- C. Nebraska Association of County Officials (NACO) Board Meeting - Workman

Workman reported that a new Executive Director was selected. An announcement on that selection is anticipated after December 7, 2001.

- D. Board of Health - Hudkins

Hudkins reported on the reorganization of the Lincoln/Lancaster County Health Department.

- E. District Energy Corporation - Heier, Hudkins

Hudkins reported that natural gas prices continued to decline.

- F. Families First & Foremost (F³) Conveners Group - Heier, Stevens

Heier reported the following:

- O The Conveners Group has agreed that 15 of the 37 cases that were disputed with Region V (lack of adequate documentation that services had been provided) will not be paid.
- O The State has suggested a single point of entry for youths that are State wards and said F³ will fill this role.
- O Staffing of the Assessment Center will qualify as match for the F³ Grant.
- O F³ has been performing some of the Office of Juvenile Services (OJS) evaluations for the Southeast District.
- O Transitional money has been withdrawn by the State.

G. Budget Monitoring Committee - Campbell, Stevens

Campbell reported that the committee toured the new Lancaster County Youth Services Center.

H. Public Building Commission - Campbell, Hudkins

Hudkins said additional security measures for the County-City Building were discussed.

Board consensus was to schedule a security presentation by Terry Wagner, Lancaster County Sheriff.

I. Community Mental Health Advisory Committee - Stevens

Stevens reported that a pilot grant in the amount of \$5,000 is being sought for a smoking cessation program for mentally ill individuals.

J. Region V - Heier

Heier said the Region V Executive Committee and the Behavioral Health Advisory Committee (BHAC) Executive Committee met and discussed concerns. He said a number of questions were posed to him after the meeting and said he will research them before providing a response.

Campbell said the Region V Executive Committee and the BHAC Executive Committee plan to meet on a quarterly basis, which should improve communication.

K. Lincoln Partnership for Economic Development - Campbell

Campbell reported that Blue Cross/Blue Shield of Nebraska gave a presentation on health care costs. A presentation was also given on the University of Nebraska's Entrepreneurial Program.

ADDITIONS TO THE AGENDA

- E. Consideration of Sub-Recipient Amendment to State and Local Assistance Program

MOTION: Stevens moved and Heier seconded approval of the addition to the agenda. Stevens, Heier, Hudkins, Workman and Campbell voted aye. Motion carried.

ADDITIONS TO THE AGENDA

E. Consideration of Sub-Recipient Amendment to State and Local Assistance Program

Eagan presented a copy of the amendment (Exhibit C).

MOTION: Hudkins moved and Stevens seconded approval. Hudkins, Stevens, Heier, Workman and Campbell voted aye. Motion carried.

12 EMERGENCY ITEMS AND OTHER BUSINESS

The Board reviewed the meeting calendar.

13 ADJOURNMENT

MOTION: Heier moved and Hudkins seconded to adjourn the meeting at 11:22 a.m. Heier, Stevens, Workman, Hudkins and Campbell voted aye. Motion carried.

Bruce Medcalf
County Clerk